

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

v.

Criminal No. 1:15CR69

RATIQUE WILSON.

DEFENDANT'S RESPONSE

Comes now, RATIQUE WILSON, through counsel, Elizabeth B. Gross, Assistant Federal Public Defender, and states the following. By way of background, Mr. Wilson plead guilty to distribution of cocaine base in violation of United States Code Title 21 Section 841(a)(1).

Mr. Wilson was sentenced to 87 months of incarceration after a sentencing hearing on March 9, 2016 with three years of supervision to follow. Mr. Wilson is serving that sentence at FCI Morgantown.

Based on the current COVID19 pandemic, Mr. Wilson filed a motion for Compassionate Relief on July 28, 2020, and undersigned was appointed to represent him in that matter on July 29, 2020. See docket entries 109 & 110. A scheduling order directed undersigned to file a memorandum in support of compassionate release no later than August 27, 2020. See docket entry 110.

Mr. Wilson is concerned about the conditions of confinement in his facility. He is afraid he will contract COVID-19 and his concerns and fears are entirely understandable. I am very sympathetic and personally believe Mr. Wilson could safely serve the remainder

of his sentence on Home Incarceration. However, after having reviewed the case and the relevant statutes, case law, and guidelines, as well as reviewing Mr. Wilson's medical records, undersigned has determined that there exist no legal or factual circumstances supporting the pro se filing beyond what has been stated in the pleading itself.

Therefore, undersigned counsel does not believe a supplemental pleading in support of the pro se filing would not be appropriate. That being said, Mr. Wilson stands by his pro se pleading and asks the Court to rule on the present record before the Court.

Thank you for the court's consideration of this matter

Respectfully submitted,

RATIQUE WILSON
By Counsel,

By: s/ Elizabeth B. Gross

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CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2020, I electronically filed the foregoing motion with the Clerk of the Court using CM/ECF system, which will send notification of such filing to:

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